

Guardrails Matter: Top Ten Things Advocates Can Do to Prevent Harmful Deregulation in Early Education

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As lawmakers increasingly look to embrace harmful deregulation as a “solution” to the ongoing child care crisis, advocates across the country are mobilizing to safeguard protections for children and early childhood educators and offer sensible solutions to right-size regulations. Making robust, sustained investments in early childhood education— not taking away important health and safety protections— is the answer to many of the challenges facing ECE. When harmful deregulation removes important health and safety standards by increasing child-teacher ratios and group sizes, decreasing or removing teacher qualifications, and lowering teacher age requirements, children and educators are less safe and quality suffers.

As educators, parents, and advocates work together to build a powerful counter-narrative with clear and consistent messaging on the impacts of harmful deregulation and the true needs of the field, you may consider prioritizing the following ten strategies:

1. **Raise awareness about current protections and why they matter.** Help decision makers and the public understand what the existing regulations are, and how your state’s regulations (e.g., teacher training requirements and child-teacher ratios) contribute to the health, safety and positive development of children and protect child and educator well-being.
- **Lead with the importance of health and safety regulations.** Prior to Congress’ bipartisan 2014 reauthorization of the Child Care and Development Block Grant (CCDBG) [only 13 states had proper background check systems in place](#) to vet educators working in child care programs. [Tragedies in early care and education programs were common](#) as a result of missing safeguards such as training on first aid and CPR and limits on adult-child ratios. Going backwards will not help keep children safe.

- **Connect teacher preparation and supports to both safety and quality.** [Teacher preparation is crucial](#) to strengthening the safety and quality of care and education for children. To best meet children’s needs during the most rapid time of brain development, [educators require a complex skill set and competencies](#) that can be gained through a combination of formal education, training, and experience. Without sufficient preparation and support, educators are more likely to be overwhelmed, unable to meet children’s needs, and leave their programs.
 - **Highlight the flexibilities and resources available for programs to meet requirements.**
 - While states are required to meet minimum regulations established by CCDBG such as background check requirements and basic health and safety standards, they [have flexibility](#) in setting their own child-teacher ratios, group sizes, and teacher qualifications as long as ratios and group sizes provide for the safety and developmental needs of the children served.
 - Start up and expansion grants like the [Massachusetts Child Care Startup Grant](#) assist programs in meeting health and safety requirements and gaining or maintaining licensing. [Pennsylvania](#) facilitates licensing for child care providers by making most required health and safety trainings available online.
2. **Uplift early childhood educator voice.** Educators are trusted, knowledgeable professionals who understand the needs of children and what they need to thrive. [Mobilize the educators in your state/community](#) to speak out about the risks of removing health and safety protections, teacher educational requirements, etc.
- Bringing educators into the advocacy space through cohorts and training opportunities can be an effective strategy to prepare them to use their voice. See examples from [District of Columbia AEYC](#), [Maryland AEYC](#), [Northern Virginia AEYC](#), [Florida AEYC](#), and [Wisconsin Early Childhood Association](#).

3. **Empower parents to be [strong advocates for their children](#).** The health and safety of their children is a key factor for parents when choosing a child care program. But parents aren't always aware of what protections do (or don't) exist, when they are sending their child to a child care program, and many assume the sector and profession is more regulated than it is in reality. Bring parents into your advocacy to help them understand the ways the existing regulatory environment impacts the care their children receive and share their perspective on proposed deregulation changes by providing testimony and sharing personal stories.
 - **A strong well-supported child care system promotes parent choice.** When we invest in educators and building the supply of child care rather than deregulating and making working conditions worse for teachers, they are [more likely to stay in the field and keep their doors open](#), creating more quality choices for families who need access to child care.
4. **De-bunk the idea that deregulating child care leads to a higher supply of child care.** Research has shown that [removing health and safety regulations does not lead to an increase in the supply of child care](#). Furthermore, analysis showed that states with stricter regulations and those with weaker regulations had a similar number of child care slots available.
5. **Show that being opposed to harmful deregulation is not partisan.** Thought leaders on both sides of the aisle agree that given the nature of child care and early education, which requires skilled staff to provide dedicated and individualized attention to children, deregulating is not the answer. [Reference this quote from conservative think-tank American Enterprise Institute](#) in their "Three Principles for Conservative Early Childhood Policy."
 - *"There are important dimensions of early childhood education and child care that just can't be deregulated away. Young children need close adult supervision, and thus early-childhood education will always be a labor-*

intensive process... We can't deregulate our way out of that one." —Frederick M. Hess and Michael Q. McShane, American Enterprise Institute, Three Principles for Conservative Early Childhood Policy, March 2024

6. **Offer ideas to [right-size and streamline existing regulations](#) without jeopardizing health and safety.** Weakening health and safety requirements isn't an answer to existing supply and cost challenges, but providers do face real regulatory burden, especially when existing policies or regulations are not designed with their input or expertise. Partner with teachers and decisionmakers in your state, including state administrators and legislators, to identify opportunities to improve regulations by removing barriers that may exist in areas such as local zoning requirements and administrative burden.
 - **Streamline processes for educators and programs by [making background checks portable](#)** and eliminating unnecessary steps for educators taking on a job with a different program.
 - **Review state and local zoning restrictions and their impact on family child care programs.** [Revise any housing policies that serve as barriers for family child care providers](#) to operate.
7. **Highlight potential impacts of harmful deregulation on an already struggling ECE sector.**
 - **Teachers will be overburdened by having to care for more children than experts recommend**, potentially leading to greater recruitment and retention challenges as work conditions degrade and teachers continue to have [insufficient resources to address children's developmental and behavioral challenges](#). Teacher shortages contribute to the low supply of child care available for children and families

- As early educators' wellbeing continues to worsen, with [47% reporting a higher sense of burnout in the last year](#), putting more on their plate is ill-advised and threatens their health and ability to remain in the ECE field. Educators have pointed to burnout being largely driven by the physical and mental demands of the job.
- The [rising costs and lack of access to liability insurance](#) for ECE programs may worsen as states remove important health and safety standards, creating more risk from an insurer's perspective.

8. Use data to highlight harm.

- In states where harmful deregulation has already happened, **seek to find and track data related to significant safety incidents.**
- In states anticipating harmful deregulation, use state data on health and safety violations including the number of incident reports or licensing violations involving injuries to **show the impact that failure to comply with current regulations can have on children and educators, and what it means to make regulations even weaker.**
 - **Collect baseline data prior to regulatory changes to serve as comparison once changes go into effect.** Data may include the number of incidents reported, number of licensing violations, changes in the rate of compliance, staff and child turnover rates, and program quality.

9. **Create a broad multi-sector coalition that includes non-traditional ECE advocates.** Bringing in [non-traditional partners from the business community](#), public health, law enforcement, and other sectors can strengthen your cause by emphasizing the impact of harmful ECE deregulation on the broader community.
10. [Engage the media to bring awareness](#) to harmful legislative or regulatory proposals to encourage the public to mobilize and take action.

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